

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DANA JACOBSON,

Plaintiff,

-against-

210 EMPIRE LLC d/b/a EMPIRE DINER, EMPIRE
DINER OF NYC, LLC, and 491 CHELSEA
APARTMENTS, LLC,

Defendants.

USDC SDNY
DOCUMENT
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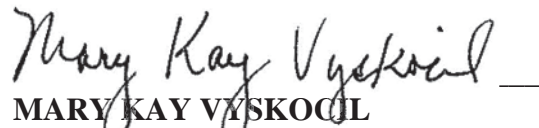
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court is informed by the Court-appointed mediator that the parties have reached a settlement in principle [ECF No. 61]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the Parties are unable to memorialize their settlement in a written agreement, and as long as the application to restore the action is made by **May 13, 2021**. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

SO ORDERED.

Date: April 13, 2021
New York, NY


MARY KAY VYSKOCIL
United States District Judge